

Date: January 3, 2002

From: Henry Balboni
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To: U. S. Department of Justice
Washington, DC

Re: Microsoft Settlement

It is time to end this case and allow one of the nation's finest companies to get back to business. I am retired now but worked for a competitor of Microsoft. It was common knowledge in my company- and others in the computer industry- that Microsoft got to where they were because they had the vision to see the future, its potential, and the talent to get them there.

The government is certainly in no position to tell anyone how to run a business. And if you look at the damage that DOJ has caused to some of our major industries over the last 70 years it raises serious questions about the value of DOJ to the United States.

For example: The U.S. had one of the world's best shoe industries in the early 1900's. The USMC (United Shoe Machinery Corporation) was the reason for it. Complaints from other countries- who found it difficult to compete in the U.S. against the USMC caused the DOJ to bring a "Monopoly" suit against them, which, among other things, forbid them to lease their equipment. This put most of our shoe manufacturers out of business, and, eventually, drove the great USMC out of existence. We no longer have a shoe industry or a shoe machinery industry.

The ill-conceived suit against IBM (because they were too good at creating and building THEIR OWN industry) cut the company's value and stopped their growth cold. They nearly went out of business. It forced them to do things no other competitor had to do- announce their new products 6 months in advance, give competitors DRAWINGS and hookup information 6 months in advance, prevented bundling of services and products, etc. No one else had to play by these rules. I don't know how they survived.

The breakup of AT&T is another example. This is the company founded by Alexander Graham Bell- the **INVENTOR** of the telephone. If the FCC did their job they could have directed lower rates to consumers (like they need to do now to the cable companies) and the 'reason' for the breakup would have disappeared. Of course, that would be too quick and too efficient- words not known to the Federal Government.

Yours truly,

Henry A. Balboni